REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claim 18 has been canceled. Therefore, claims 1-17, 19-23 and 33-36 remain pending. Claim 1 is independent.

§ 103 REJECTION – UENO, BREDE

Claims 1-7, 9-23 and 33-36 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Ueno et al. (US Publication 2002/0024535, hereinafter "Ueno") and Brede et al. (US Patent 6,603,822). See Final Office Action, page 2.

Claim 18 is canceled since it is identical to claim 17. Thus, the rejection of claim 18 is moot. With regard to the remaining claims, Applicants respectfully traverse.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. See M.P.E.P. 2142. One requirement to establish *prima facie case* of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See M.P.E.P. 2142; M.P.E.P. 706.02(j). Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, the combination of Ueno and Brede fail to teach or

suggest every claimed element. For example, independent claim 1 recites, in

part "generating a graphical image of the channel map graphically illustrating

at least one band and at least one channel of the at least one band and

representing a first node and a second node of the plurality of nodes in the

network from the retrieved channel data, the graphical image showing a

relationship of a band and channel in the first node to a band and channel in

the second node."

Contrary to the Examiner's allegation, Ueno cannot be relied upon to

teach or suggest at least this feature. In the Office Action, the Examiner

alleges that paragraphs [0011], [0015] and [0189] disclose the above-recited

feature. However, closer observation of the paragraphs clearly demonstrates

that the Examiner's reliance is misguided.

For example, paragraphs [0011] and [0015] of Ueno merely summarize

components of different embodiments of a network management equipment for

managing a network system. Paragraph [0189] describes the visual display of

Figure 3. Ueno merely indicates that stations of the network (i.e. nodes) and

transmission path icons indicative of transmission paths are graphically

displayed. Ueno goes onto indicate that presence/absence of failures of the

nodes and the severity of the failure may be displayed in Figure 3. See Ueno,

paragraph [0191]. In other words, Figure 3, at best, merely shows state of

nodes of the network.

There is simply nothing to indicate that the feature of the graphical

image showing a relationship of a band and channel in the first node to a band

and channel in the second node exists in Ueno. It is also clear that Ueno

cannot be relied upon to teach or suggest the feature of the graphical image of

the channel map graphically illustrating a band and a channel of the band as

recited in claim 1.

Brede has not been, and indeed cannot be, relied upon to correct for at

least the above noted deficiencies of Ueno. Therefore, for at least the reasons

stated above, independent claim 1 is distinguishable over the combination of

Ueno and Brede.

Claims 2-7, 9-17, 19-23 and 33-36 depend from independent claim 1

directly or indirectly. Therefore, for at least due to the dependency thereon,

these dependent claims are also distinguishable over the combination of Ueno

and Brede.

Applicants respectfully request that the rejection of claims 1-7, 9-23 and

33-36 based on Ueno and Brede be withdrawn.

§ 103 REJECTION - UENO, BREDE, LANGFAHL

Claim 8 stands rejected under 35 USC 103(a) as allegedly being

unpatentable over Ueno, Brede, and Langfahl Jr. (USP 6,031,528). See Final

Office Action, page 7. Applicants respectfully traverse.

It is noted that claim 8 depends from independent claim 1 and it has

been shown above that claim 1 is distinguishable over Ueno and Brede.

Langfahl has not been, and indeed cannot be, relied upon to correct for at least

the above noted deficiencies of Ueno and Brede. Therefore, independent claim 1

is distinguishable over the combination of Ueno, Brede and Langfahl. For at

least due to the dependency thereon, claim 8 is also distinguishable over the

combination of Ueno, Brede and Langfahl.

Applicants respectfully request that the rejection of claim 8 based on

Ueno, Brede and Langfahl be withdrawn.

CONCLUSION

All objections and rejections raised in the Final Office Action having been

addressed, it is respectfully submitted that the present application is in

condition for allowance. Should there be any outstanding matters that need to

be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg.

No. 44,346), to conduct an interview in an effort to expedite prosecution in

connection with the present application.

U.S. Application No. 10/005,507 Docket No. 4450-312P Page 14 of 14

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

Bv:

Michael R. Cammarata

Reg. No. 39,491

MRC/HNS 4450-0312P P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000